



REPUBLIC OF KENYA



**Ojwang v Republic (Miscellaneous Criminal Application
E021 of 2023) [2023] KEHC 1782 (KLR) (28 February 2023) (Ruling)**

Neutral citation: [2023] KEHC 1782 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT SIAYA
MISCELLANEOUS CRIMINAL APPLICATION E021 OF 2023
RE ABURILI, J
FEBRUARY 28, 2023**

BETWEEN

ISAAC ODHIAMBO OJWANG APPLICANT

AND

REPUBLIC RESPONDENT

(Being an Application for leave to appeal out of time in Bondo PM SO E020/2021)

RULING

1. The applicant Isaac Odhiambo Ojwang seeks leave of court to appeal out of time. He says he was convicted on October 14, 2022 *vide* Bondo PM SO E020/2021 of the offence of defilement and resented to serve 20 years imprisonment and that due to shock, he never appealed as he was confused.
2. I have considered the application and grounds.
3. I find the delay is not inordinate as the convict is acting in person. I grant him leave to appeal out of time. The Petition of appeal to be filed and served upon ODPP Siaya within 14 days of today.
4. Registry to notify him forthwith.
5. I so order. File closed.

DATED, SIGNED AND DELIVERED AT SIAYA THIS 28TH DAY OF FEBRUARY, 2023

R.E. ABURILI

JUDGE

